

Proposed Revision to Governors Bill 846 regarding mandatory hearings (in red):

Sec. 2. Subsections (d) and (e) of section 54-125a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) The Board of Pardons and Paroles [shall] may hold a hearing to determine the suitability for parole release of any person whose eligibility for parole release is not subject to the provisions of subsection (b) of this section upon completion by such person of seventy-five per cent of such person's definite or aggregate sentence less any risk reduction credit earned under the provisions of section 18-98e. An employee of the board or, if deemed necessary by the chairperson, a panel of the board shall [reassess] assess the suitability for parole release of such person based on the following standards: (1) Whether there is reasonable probability that such person will live and remain at liberty without violating the law, and (2) whether the benefits to such person and society that would result from such person's release to community supervision substantially outweigh the benefits to such person and society that would result from such person's continued incarceration. [After hearing,] If a hearing is held, and if the board determines that continued confinement is necessary, [it] the board shall articulate for the record the specific reasons why such person and the public would not benefit from such person serving a period of parole supervision while transitioning from incarceration to the community. If it is determined that a hearing will not be held, then the specific reasons for not having a hearing shall be documented and provided to such person. The decision of the board under this subsection shall not be subject to appeal.

(e) The Board of Pardons and Paroles [shall] may hold a hearing to determine the suitability for parole release of any person whose eligibility for parole release is subject to the provisions of subdivision (2) of subsection (b) of this section upon completion by such person of eighty-five per cent of such person's definite or aggregate sentence less any risk reduction credit earned under the provisions of section 18-98e. An employee of the board or, if deemed necessary by the chairperson, a panel of the board shall assess the suitability for parole release of such person based on the following standards: (1) Whether there is reasonable probability that such person will live and remain at liberty without violating the law, and (2) whether the benefits to such person and society that would result from such person's release to community supervision substantially outweigh the benefits to such person and society that would result from such person's continued incarceration. [After hearing,] If a hearing is held, and if the board determines that continued confinement is necessary, [it] the board shall articulate for the record the specific reasons why such person and the public would not benefit from such person serving a period of parole supervision while transitioning from incarceration to the community. If it is determined that a hearing will not be held, then the specific reasons for not having a hearing shall be documented and provided to such person. The decision of the board under this subsection shall not be subject to appeal.